

EXHIBIT H

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA ex rel.,
TIFFANY MONTCRIEFF, et al.,

Relators, Plaintiff,

v.

PERIPHERAL VASCULAR
ASSOCIATES, P.A.,

Defendant.

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Civil Action No. 5:17-CV-00317-XR

DEFENDANT PERIPHERAL VASCULAR ASSOCIATES'
PROPOSED VERDICT FORM

VERDICT FORM

Considering the elements and definitions set forth in the jury instructions above, answer the following questions. You are instructed for each alleged violation, you must find that each such claim violated all elements of the False Claims Act. All answers must be unanimous:

For the claim submitted on [DATE] for patient number [NUMBER]:

Question 1: Did Relators prove by a preponderance of the evidence that PVA submitted the claim to Medicare?

Yes ____

No ____

Question 2: Did Relators prove by a preponderance of the evidence that the claim was FALSE?

Yes ____

No ____

Question 3: Did Relators prove by a preponderance of the evidence that when PVA submitted the claim, PVA did so KNOWING it was false?

Yes ____

No ____

Question 4: Did Relators prove by a preponderance of the evidence that when PVA submitted the claim, PVA did so KNOWING the falsity of the claim was MATERIAL to the United States Government?

Yes ____

No ____

If you answered "Yes" to Questions 1, 2, 3, and 4, please answer Question 5

Question 5(6): What amount of DAMAGES suffered by the United States Government did Relators prove by a preponderance of the evidence?

\$ ____

For claims under 31 U.S.C. § 3729(a)(1)(G), this question would come before damages:

Question 5: Did Relators prove by a preponderance of the evidence that when PVA had an OBLIGATION to pay or transmit money to Medicare?

Yes ____

No ____